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# **Notice of Allowability**

Application No.

09/138,054

Examiner

Ngoc K. Vu

Applicant(s)

RAMANATHAN, RAMANATHAN

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/28/05.
2. ☒ The allowed claim(s) is/are 1, 13, 14, 21, 27, 39-41, 44-46, 50, 51 and 53-68.
3. ☒ The drawings filed on 31 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____  |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment ✓                  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance ✓ |
|   | 9. <input type="checkbox"/> Other _____  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Fred Pruner on May 23, 2005.

The application has been amended as follows:

**In the claims:**

Claim 1, line 12, --first-- has been inserted after "and the".

Claim 1, line 14, "management module." has been replaced with --management module, and

wherein the first configuration information comprises at least one of information to indicate if the first transmitter module is able to assign priorities to data, and information to indicate if the first transmitter module is able to perform bandwidth management.--.

Claim 14, line 5, --first-- has been inserted after "and the".

Claim 14, line 6, --the first-- has been inserted after "program and".

Claim 14, line 10, --first-- has been inserted before "transmitter".

Claim 14, line 12, "management of data flow" has been replaced with --data flow management--.

Claim 14, line 14, "module" has been deleted after "the first transmitter".

Claim 14, line 15, "module" has been deleted after "first transmitter".

Claim 21, line 11, "module" has been deleted after "transmitter".

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Claim 21, line 12, "module" has been deleted after "transmitter".

Claim 27, line 11, "module" has been deleted after "the first transmitter".

Claim 27, line 12, "module" has been deleted after "first transmitter".

Claim 39, line 10, "management module." has been replaced with --management module, and

wherein the configuration information comprises at least one of information to indicate if the transmitter module is able to assign priorities to data, and information to indicate if the transmitter module is able to perform bandwidth management.--.

Claim 46, line 2, --module-- has been inserted after "a transmitter".

Claim 46, line 9, --module-- has been inserted after "the transmitter".

Claim 46, line 11, --module-- has been inserted after "the transmitter".

Claim 50, line 5, --module-- has been inserted after "a transmitter".

Claim 53, line 4, --first-- has been inserted before "transmitter module".

Claim 56, "system claim 5" has been replaced with "system of claim 55".

Claim 61, line 2, --the-- has been inserted before "first transmitter".

2. The following is an examiner's statement of reasons for allowance:

The closest prior art, Zhang of the record teaches a system and method for converting a bit stream of a given bit rate to a different bit rate for reliable transport over communication channels, fails to anticipate or render the following limitations obvious: the configuration information comprises at least one of information to indicate if the first transmitter/the transmitter module/the first transmitter module is able to assign priorities to data, and information to indicate if the first transmitter/the transmitter module/the first transmitter module is able to perform bandwidth management as recited in the independent claims.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ngoc K. Vu  
Primary Examiner  
Art Unit 2611

May 27, 2005